

accordance with any applicable laws, Executive Orders and regulations.

Subpart B—Conduct

§ 2202.4 General.

(a) The effectiveness of OSHRC in fulfilling its statutory responsibilities depends upon the extent to which its officials and employees hold the public confidence. Employees are therefore required not only to observe the requirements of Federal laws, policies, orders and regulations governing official conduct, they must also avoid any apparent conflict with these requirements. Each employee shall avoid situations in which his private interests conflict or raise a reasonable question of conflict with his public duties and responsibility. An employee shall avoid any action, whether or not specifically prohibited, which might result in or create the appearance of using public office for private gain, giving preferential treatment to any person, impeding Government efficiency or economy, losing complete independence or impartiality, making a Government decision outside of official channels, or affecting adversely the confidence of the public in the integrity of the Government.

(b) Employees must conduct themselves in such manner that OSHRC's work is effectively accomplished. They must observe the requirements of courtesy, consideration and promptness in dealing with or serving the public and all those interested in OSHRC. Although it is the policy of this agency not to restrict or interfere with the private lives of its employees, each employee is expected to conduct himself at all times so that his actions will not bring discredit upon OSHRC or the Federal service.

§ 2202.5 Nondiscrimination.

No employee in this Commission while in the performance of his duty may discriminate against any other employee or applicant for employment because of race, color, religion, national origin, sex, or age.

§ 2202.6 Gambling, betting, and lotteries.

An employee shall not participate, while on Government owned or leased property or while on duty for the Government, in any gambling activity, including the operation of a gambling device, in conducting a lottery or pool in a game for money or property, or in selling or purchasing a numbers slip or ticket.

§ 2202.7 Misuse of official information.

Employees may not, except with specific permission or as provided in § 2202.10 in regard to teaching, lecturing, or writing, directly or indirectly use or allow the use of official information for private purposes or to further a private interest when such information is not available to the general public; nor may employees disclose official information in violation of any applicable law, policy, Executive Order, or regulation.

§ 2202.8 Misuse of Federal property.

An employee shall not directly or indirectly use or allow the use of Government property, including property leased to the Government, for other than officially approved activities. An employee has a positive duty to protect and conserve such property and shall obey all rules and regulations.

§ 2202.9 Partisan political activities.

Employees are expected to observe the prohibitions on political activities set forth in subchapter III of chapter 73 of title 5, United States Code; 18 U.S.C. 602, 603, 607, and 608; and Civil Service Rule IV, title 5, Code of Federal Regulations, § 4.1. Explanations of the restrictions are set forth in the Employee Handbook, U.S. Civil Service Commission Pamphlet No. 20, and in the Federal Personnel Manual.

Subpart C—Outside Interests, Employment, Business and Professional Activities

§ 2202.10 General.

(a) In the absence of restrictions made necessary by an employee's public responsibilities, he is entitled to the same rights and privileges as all other

citizens. There is therefore no general prohibition against Commission employees holding jobs, financial interests, or engaging in outside business or professional activities. Indeed, such outside activities as teaching, lecturing, and writing are generally to be encouraged since they frequently serve to enhance an employee's value to the Government as well as to increase the spread of knowledge in our society. The Chairman may, however, impose reasonable restrictions upon such activities where appropriate. In addition, an employee may not, whether for or without compensation, engage in teaching, lecturing, or writing, including teaching, lecturing or writing for the purpose of the special preparation of a person or class of persons for an examination of the Civil Service Commission or Board of Examiners for the Foreign Service, that is dependent on information obtained as a result of his Government employment, except when that information has been made available to the general public or will be made available on request when the head of his employing office gives written authorization for the use of non-public information on the basis that its use is in the public interest.

(b) No OSHRC employee may accept any outside employment, engage in any outside business, professional, or other activity, or have financial interests if such employment, activity or interests would be or appear to be in substantial conflict with OSHRC responsibilities or the interests of the Government, would interfere with the performance of official duties, would prevent a regular employee from rendering full-time service to OSHRC or require so much time that his efficiency is impaired, or if such employment, activity, or interest would bring discredit on OSHRC or the Government. In addition, no employee may engage, directly or indirectly, in a financial transaction as a result of, or relying primarily on, information obtained through his Government employment.

(c) No employee may use or appear to use his Government employment to coerce any person, enterprise, company, association, partnership, society, or other organization or instrumentality

to provide financial benefit to himself or another person.

§ 2202.11 Conflict-of-interest laws.

Sections 201 through 209 of title 18, United States Code, prohibit and provide criminal penalties for certain acts by Government employees involving conflict-of-interest situations, including limited exceptions for special Government employees. These provisions include the following prohibitions:

(a) Section 203, in general, prohibits a Federal employee from soliciting, receiving, or agreeing to receive compensation for services rendered on behalf of another before a Government department or agency in relation to any particular matter in which the United States is a party or has a direct and substantial interest.

(b) Section 205, in general, prohibits a Federal employee from acting as agent or attorney for prosecuting any claim against the United States or acting as agent or attorney for anyone before any Federal courts or agencies in connection with any particular matters in which the United States is a party or has a direct and substantial interest. It also prohibits him from receiving any gratuity, or any share of or interest in any claim against the United States in consideration of assistance in the prosecution of such claim.

(c) Section 208, in general, prohibits a Government employee in his official capacity from participating personally and substantially through decision, approval, disapproval, recommendation, the rendering of advice, or otherwise in any particular matter in which, to his knowledge, he, his spouse, minor child, partner, organization in which he is serving as officer, director, trustee, partner, or employee or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment has a financial interest. In accordance with the provisions, of section 208(b)(2), the financial interests described below are hereby exempted from the prohibition of 18 U.S.C. 208 as being too remote or too inconsequential to affect the integrity of an employee's services in a matter: The policy holdings in an insurance company and the stock or bond holdings in a mutual fund, investment